

**03-9685     JOHNSON V. UNITED STATES**

Decision Below:     340 F.3d 1219 (11<sup>th</sup> Cir. 2003)

**QUESTION PRESENTED**

When a federal court bases an enhanced sentence on a vacated state conviction, is the vacatur of the state conviction a "fact" supporting a prisoner's 28 U.S.C. § 2255 claim requiring reduction of the prisoner's sentence?

Cert. Granted 9/28/04